



Certified Recommendation

Raleigh Planning Commission

CR#11785

Case Information: TC-3-17 Accessory Dwelling Overlay District

Comprehensive Plan Guidance

<i>Applicable Policy Statements</i>	<p>Policy LU 2.2 - Compact Development New development and redevelopment should use a more compact land use pattern to support the efficient provision of public services, improve the performance of transportation networks, preserve open space, and reduce the negative impacts of low intensity and non-contiguous development.</p> <p>Policy LU 5.1 - Reinforcing the Urban Pattern New development should be visually integrated with adjacent buildings, and more generally with the surrounding area. Quality design and site planning is required so that new development opportunities within the existing urban fabric of Raleigh are implemented without adverse impacts on local character and appearance.</p> <p>Policy LU 8.5 - Conservation of Single-Family Neighborhoods Protect and conserve the City's single-family neighborhoods and ensure that their zoning reflects their established low density character. Carefully manage the development of vacant land and the alteration of existing structures in and adjacent to single-family neighborhoods to protect low density character, preserve open space, and maintain neighborhood scale.</p> <p>Policy H 1.8 - Zoning for Housing Ensure that zoning policy continues to provide ample opportunity for developers to build a variety of housing types, ranging from single-family to dense multi-family. Keeping the market well supplied with housing will moderate the costs of owning and renting, lessening affordability problems, and lowering the level of subsidy necessary to produce affordable housing.</p> <p>Policy H 2.5 - Removing Housing Barriers Address regulatory and policy barriers to affordable housing development while still maintaining Raleigh's high-quality development standards.</p> <p>Policy H 2.8 - Accessory Dwelling Units Promote the construction of accessory dwelling units above garages, or "granny flats," and cottage/small lot ordinances, to provide affordable and workforce housing options and help accommodate future citywide residential demand.</p> <p>Policy H 4.2 - Aging in Place Promote universal design and lifecycle housing to facilitate the ability of homeowners and neighborhood residents to age in place in their homes and neighborhoods.</p> <p>Policy H 4.3 - Housing for the Disabled Support development of accessible housing for residents with disabilities, particularly near transit stations and corridors.</p>
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	<p>Policy PU 1.1 - Linking Growth and Infrastructure Focus growth in areas adequately served by existing or planned utility infrastructure.</p> <p>Policy UD 5.1 - Contextual Design Proposed development within established neighborhoods should create or enhance a distinctive character that relates well to the surrounding area.</p> <p>Policy UD 5.4 - Neighborhood Character and Identity Strengthen the defining visual qualities of Raleigh's neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations, and additions to existing neighborhood context.</p>
<i>Action Items</i>	

Summary of Text Change

<i>Summary</i>	Proposes new UDO Article 5.6 Accessory Dwelling Overlay District to allow construction of a free-standing, accessory residential structure on the same lot as a principal building.
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Summary of Impacts

<i>Impacts Identified</i>	Adoption of TC-3-17; Creates a new zoning overlay district, in which <u>construction of an accessory residential structure would be permitted on the same lot as a principal building, subject to certain regulations. The maximum of one accessory structure per lot would be permitted could result in a cumulative increase in gross density within the overlay area, potentially with an increase in parking demand; restrictions of unit scale and occupancy, though, would limit impacts of form and use.</u>
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Public Meetings

<i>Submitted</i>	<i>Committee</i>		<i>Planning Commission</i>	<i>City Council</i>
12/6/16	Text Change Committee	3/21/2017; 4/18/17; 5/16/17	6/13/17	6/20/17 (Report of the Planning Commission); 7/5/17 (Public Hearing)

Attachments

1. Draft Ordinance
- 2.

Planning Commission Recommendation

<i>Recommendation</i>	Approval
<i>Findings & Reasons</i>	<ol style="list-style-type: none">1. The proposed Text Change would provide for additional housing options for a number of demographics.2. The proposed regulations provide regulations intended to mitigate any impacts to adjacent property owners and the larger neighborhood context.
<i>Motion and Vote</i>	Motion: Hicks Second: Lyle In Favor: Alcine, Braun, Fluhrer, Hicks, Lyle, Swink, and Tomasulo

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the attached Staff Report.

_____ Planning Director	_____ Date	_____ Planning Commission Chairperson	_____ Date
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Zoning Staff Report – TC-3-17

Accessory Dwelling Overlay District

Request

<i>Section Reference</i>	TC-3-17 Accessory Dwelling Overlay District
<i>Basic Information</i>	Amends the UDO to create a zoning overlay district, in which construction of a single, detached accessory residence would be permitted on the same lot as the principal building.
<i>PC Recommendation Deadline</i>	February 14, 2017 April 9, 2017 June 26, 2016

Comprehensive Plan Guidance

<i>Applicable Policies</i>	Not applicable
<i>Action Items</i>	Not applicable

Contact Information

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History/Overview

This text change was initiated by the City Council as a result of a Petition of Citizens, filed by representatives of the Mordecai neighborhood. During consideration of the Unified Development Ordinance in 2011-2013, the City discussed approval of “Backyard Cottage” as a new Housing Type. In the end, however, the accessory dwelling form was not included in the adopted UDO. Public interest in such housing, however, has remained, driven by interest in opportunities to provide for aged, disabled, or young adult family members to live in a separate but on-site dwelling, for new rental income, and, overall, to increase the diversity and affordability of housing options in the City. Staff has reviewed the existing code and the previously-proposed “Backyard Cottage” ordinance, and, in conjunction with new public dialogue and a formal survey, composed this text amendment. The amendment would create a zoning overlay district, in which construction of a single, detached accessory residence would be permitted on the same lot as the principal building. The overlay would be applicable citywide, within zoning districts that would permit ADUs (R-1, R-2, R-4, R-6, R-10, RX-, OX-, NX-, CX-, DX-).

The proposal was discussed at three successive Text Change Committee meetings (March-May). The Committee suggested the following revisions, all of which were incorporated into the proposal presented to the Planning Commission on June 13:

- Remove the minimum lot depth requirement
- Increase the minimum side and rear lot line setbacks for two-story ADUs to 10 feet from 5 feet
- Provide a stipulation that the maximum height and size (square footage) of any ADU shall not exceed that of the principal dwelling
- Provide regulations prohibiting the placement of balconies, patios, decks, porches and stoops to facades facing streets or adjacent residential parcels
- Provide regulations stating that ground floor patios shall not face adjacent residential properties

The Planning Commission discussed the proposed Text Change at its June 13 meeting. Commissioner Tomasulo expressed a desire for more flexibility in the maximum living area permitted in ADUs. Commissioners Lyle and Hicks agreed, but expressed a desire to see the maximum permitted living area limited to no larger than 50% of the lot's primary dwelling unit, or 800 feet, whichever is less. In addition, the Commission agreed that ADUs should be permitted in the DX- zoning district. The two aforementioned changes to the proposed Ordinance have been made and are included in the proposal before City Council on July 5, 2017.

Purpose and Need

This text provides opportunity to diversify and expand housing options within the City, while limiting aspects of built form to complement existing development patterns and uses. Application of the overlay would be on an "opt-in" basis; i.e., subject to approval of specified overlay zoning boundaries in which the specified use would be permitted. The proposal is designed to merge the interests of citizens, the City, and our Comprehensive Plan goals into an inclusive collaborative approach to achieve the aspirations of all stakeholders.

Alternatives Considered

None.

Scoping of Impacts

Potential adverse impacts of the proposed text change have been identified as follows:

Possible increase in gross residential density within the overlay area (although within structures of lesser scale than principal buildings), and, in association, potentially increased demand for parking.

The adverse impacts of taking no action (retaining the existing regulations) have been identified as follows:

Residential options would remain unchanged from those permitted at present.

Impacts Summary

Adoption of Proposed Text Change

The adoption of this text will enhance the diversity and potentially increase the affordability of housing in those areas of the City in which the overlay would be adopted through rezoning.

No action

Residential options would be the same as existing; i.e., construction of accessory units would remain prohibited.